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Follow-up to the World Summit for Social Development and the twenty-fourth special session of the General Assembly: priority theme: review of further implementation of the World Summit for Social Development and the outcome of the twenty-fourth special session of the General Assembly

Statement submitted by Franciscans International, a non-governmental organization in general consultative status with the Economic and Social Council; American Psychological Association, Pax Christi International, Society for the Psychological Study of Social Issues, and World Youth Alliance, non-governmental organizations in special consultative status with the Economic and Social Council; and International Union of Anthropological and Ethnological Sciences, a non-governmental organization on the Roster

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31 of 25 July 1996.

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* E/CN.5/2005/1.

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Introduction

Affirming the commitment of the World Summit on Social Development Platform of Action to "strengthen national efforts to address more effectively the growing HIV/AIDS pandemic by providing necessary education and prevention services, working to ensure that appropriate care and support services are available and accessible to those affected by HIV/AIDS, and taking all necessary steps to eliminate every form of discrimination against and isolation of those living with HIV/AIDS";

Recognizing, in line with the Copenhagen Platform of Action, that it is critical to social development that "special measures are taken to protect the displaced, the homeless, street children, unaccompanied minors and children in special and difficult circumstances, orphans…and to ensure that they are integrated into their communities";

We, NGOs committed to advocacy, direct service and global action related to HIV/AIDS, urge that the Copenhagen +10 Review renew and strengthen the commitment to provide support, protection and education for orphans and vulnerable children affected by HIV/AIDS.

We are pleased to note that the Secretary-General, in his report of 25 July 2003, stated that there has been "significant progress in the global response to HIV/AIDS" since his report in August of 2002. We recognize and affirm the increase in political commitment and national efforts, particularly in Asia and sub-Saharan Africa. These have been strengthened to provide education and prevention services, and provide support for stronger, better coordinated global actions against the pandemic – particularly through the activities of UNAIDS. However, with the Secretary General, we realize, that "in many important respects, the challenges posed by (HIV/AIDS) remain as large as ever." One of these challenges, which has not yet received the attention it requires, is the ever increasing number of children who are orphaned and poor because of the pandemic.

According to the 2004 report issued jointly by UNAIDS, UNICEF and USAID, *Children on the Brink*, there are millions of vulnerable children made orphans because of the pandemic and the number is likely to rise in the next decade. Currently, worldwide there are approximately 15 million orphans due to HIV/AIDS, 12.3 million in sub-Saharan Africa alone. These numbers demonstrate the magnitude of the crisis and call for an equally intense response on the part of governments everywhere, as well as other stakeholders – NGOs, businesses, intergovernmental agencies, financial institutions, religious groups, etc. At the World Summit and at Copenhagen +5, not enough policy attention was given to the situation of children orphaned and impoverished as a result of the HIV/AIDS pandemic. The massive impact of the condition of these orphans on social development everywhere needs more attention and more action first by governments and then by other stakeholders as well.

A Human Rights Framework for Effective Action

The extreme vulnerability of children orphaned by HIV/AIDS necessitates implementation of the principles of the UN Convention on the Rights of the Child (CRC) and related human rights instruments as the basis for effective interventions. We recognize that this vulnerability is heightened even more by the disruption to whole community structures when both the children and their mothers are stigmatized because of the loss of a father or spouse to the deadly virus. Such stigmatization is even more deplorable when we realize that, in many of the conflicts in Africa, soldiers and militia members who are infected intentionally spread the virus through rape of even very young girls as a weapon of war. We believe that this makes even more urgent the promotion of the CRC, which requires that as a primary consideration that all actions concerning children be in their "best interests"; i.e.

- "ensure to the maximum extent possible the survival and development" of children;
- provide special protection and assistance for children permanently deprived of their family and that alternative care provide continuity with the children's upbringing and their ethnic, religious, cultural and linguistic background;
- assist others responsible for children without parents to ensure a standard of living adequate for their physical, mental, spiritual, moral and social development;
- preserve the children's family relations;
- "promote the physical and psychological recovery and social reintegration of a child victim…in an environment which fosters the health, self-respect and dignity of the child;
- give due weight to the views of the children in accordance with their age and maturity;
- provide information and materials from a diversity of sources to promote children's social, spiritual, and moral well-being and physical and mental health;
- "protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse"; and
- promote children's right to education to develop their full potentials and prepare them for a "responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples.

Considerations regarding Appropriate Caregivers

When a child is orphaned, one needs to know if there is a surviving relative that is physically, mentally and emotionally able and accessible to care for the child. It may very well be that, in the absence of relatives, members of the community take on the responsibility of caring for orphans in a shared capacity. Generally the people who live in the community are in the best position to determine which children are at greatest risk and what factors should be used to assess their vulnerability and to set priorities for local action.

Programs should aim at geographic areas seriously affected by HIV/AIDS and then support the residents of these communities in organizing the identification and assistance of the most

vulnerable children and households. After losing parents and caregivers, children have an even greater need for stability, care and protection. Family capacity represents the single most important factor in building a protective environment for children who have lost their parents to HIV/AIDS, whether the head of the household is a widowed parent, an elderly grandparent, a young person, or a communal environment. There is an urgent need to develop and scale up family and community based care opportunities for the small but highly vulnerable proportion of boys and girls who are living outside of family care.

In the current situation of the world-wide pandemic, the HIV/AIDS pandemic has placed an enormous responsibility on governments and on every community and religious institution to help to alleviate the pain and suffering of this vulnerable group of children. In particular religious institutions have traditionally played an important and valuable role in the care of orphans throughout the world. We affirm this and value their continued presence on the front line at the local level. Their involvement is often key to the community responses to these children and should be supported.

We submit that at this time of the ten-year review, immediate, sustained and coordinated efforts to protect these children and preserve the family unit are urgently needed.

Policy and Action Recommendations to Governments

1. Urge all nations to commit more resources to the needs for healthcare, psychosocial support and recovery, and HIV/AIDS treatment and prevention for children orphaned and made poor by HIV/AIDS. In particular, further support could be given to the WHO "3x5 initiative."

2. Call upon countries with high rates of AIDS infection to adopt and actively implement national plans of action to provide for the education and socialization of children who have been orphaned. At the present time only 17% of countries have a national plan of action which deals with this issue.

3. Ask UNICEF or other UN agency to develop a best practices resource that would assist nations in developing creative and effective plans of action designed to be appropriate to their local situation, taking into consideration the Convention on the Rights of the Child, the Convention for the Elimination of Discrimination Against Women (and girls), and other human rights standards. Plans of Action should include an assessment to determine the best care-giving situations and ongoing monitoring of the health, welfare and psychosocial well being of children in highly vulnerable situations. This assessment could also be used as a source for technical assistance.

4. Offer all children, among them the children orphaned because of HIV/AIDS, free education, giving them safe and viable options for earning a living and becoming contributing members of their communities.

5. Provide families with financial and other assistance that enable many orphans who might otherwise be separated from their families to remain with them. Promote creative means of financing such as debt swapping or tax on currency transactions to assist in providing resources to care for orphaned children in holistic and culturally appropriate ways.

6. Immediately support the identification of orphaned children through, among others, street educators and first-reception community centres that can connect with these children in the streets, protect them from immediate exploitation by adults and reconnect them, whenever possible, with existing extended family members or with support networks.

7. Call upon and encourage religious organizations to continue to provide shelter and aid for children orphaned by HIV/AIDS and call upon those who have not joined in this effort to reach out and organize a worldwide effort to help bring relief to this tragic situation. Although religious traditions and laws must be respected it is important that those taking advantage of these resources do so without pressure to embrace and follow these traditions, or be restricted by traditions other than their own.

8. Provide caregivers of children orphaned by HIV/AIDS with financial, educational, nutritional, health and psychosocial support along with other training in partnership with international or local institutions, faith-based and other non-governmental organizations, and the private sector to insure the proper care and development of orphaned children.

9. Recognizing the critical role of children and adolescents in confronting HIV/AIDS, duly respecting every person's dignity, mobilize resources to train, encourage, and empower them to develop their leadership potential in their communities. Also, allocate resources to development projects devised, implemented by, and targeting orphaned children and young people at the local level.

10. Include children and young people in international, regional, and local HIV/AIDS policy formulation and implementation, since HIV/AIDS has a disproportional impact on them. Today's children and young people represent future leaders of their communities and nations.

11. Integrate a gender perspective into all programs for children orphaned by HIV/AIDS by effectively assessing, addressing, and monitoring both the special needs and vulnerabilities of orphaned girls and boys.

This statement is endorsed and supported by the following non-governmental organizations in consultative Status with the Economic and Social Council:

Christian Children's Fund

Congregation of Our Lady of Charity of the Good Shepherd

Congregations of St. Joseph

Dominican Leadership Conference

Elizabeth Seton Federation

International Association of Charities

International Association of Schools of Social Work

International Federation of Settlements and Neighbourhood Centres

International Federation of Social Workers

International Presentation Association of the Sisters of the Presentation

Lutheran World Federation

National Council of Women of the United States

Sisters of Mercy of the Americas

Sisters of Notre Dame de Namur

Society of Catholic Medical Missionaries

VIVAT International